

Federal Communications Commission

§ 17.23

the Administrator of the Federal Aviation Administration, the location and height of which is fixed by its functional purpose.

[32 FR 11269, Aug. 3, 1967, as amended at 39 FR 7581, Feb. 27, 1974; 42 FR 54824, Oct. 11, 1977; 61 FR 4363, Feb. 6, 1996]

§ 17.17 Existing structures.

(a) The requirements found in § 17.23 relating to painting and lighting of antenna structures shall not apply to those structures authorized prior to July 1, 1996. Previously authorized structures may retain their present painting and lighting specifications, so long as the overall structure height or site coordinates do not change. The Antenna Structure Registration requirements found in § 17.5, however, shall apply to all antenna structures that have been assigned painting or lighting requirements by the Commission, regardless of prior authorization.

(b) No change in any of these criteria or relocation of airports shall at any time impose a new restriction upon any then existing or authorized antenna structure or structures.

[32 FR 11269, Aug. 3, 1967, as amended at 61 FR 4363, Feb. 6, 1996]

Subpart C—Specifications for Obstruction Marking and Lighting of Antenna Structures

§ 17.21 Painting and lighting, when required.

Antenna structures shall be painted and lighted when:

(a) They exceed 60.96 meters (200 feet) in height above the ground or they require special aeronautical study.

(b) The Commission may modify the above requirement for painting and/or lighting of antenna structures, when it is shown by the applicant that the absence of such marking would not impair the safety of air navigation, or that a lesser marking requirement would insure the safety thereof.

[32 FR 11269, Aug. 3, 1967, as amended at 42 FR 54824, Oct. 11, 1977]

§ 17.22 Particular specifications to be used.

Whenever painting or lighting is required, the Commission will generally

assign specifications in accordance with the FAA Advisory Circulars referenced in § 17.23. If an antenna installation is of such a nature that its painting and lighting in accordance with these specifications are confusing, or endanger rather than assist airmen, or are otherwise inadequate, the Commission will specify the type of painting and lighting or other marking to be used in the individual situation.

[32 FR 11269, Aug. 3, 1967, as amended at 61 FR 4363, Feb. 6, 1996]

§ 17.23 Specifications for painting and lighting antenna structures.

Unless otherwise specified by the Commission, each new or altered antenna structure to be registered on or after July 1, 1996, must conform to the FAA's painting and lighting recommendations set forth on the structure's FAA determination of "no hazard," as referenced in the following FAA Advisory Circulars: AC 70/7460-1H, "Obstruction Marking and Lighting," August 1, 1991, as amended by Change 2, July 15, 1992, and AC 150/5345-43D, "Specification for Obstruction Lighting Equipment," July 15, 1988. These documents are incorporated by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. The documents contain FAA recommendations for painting and lighting structures which pose a potential hazard to air navigation. For purposes of this part, the specifications, standards, and general requirements stated in these documents are mandatory. The Advisory Circulars listed above are available for inspection at the Commission Headquarters in Washington, DC, 2025 M Street NW., room 8112, or at the Office of the Federal Register, 800 North Capitol Street, NW., room 700, Washington, DC., or may be obtained from Department of Transportation, Utilization and Storage Section (Publications), M443.2, 400 7th Street SW., Washington, DC 20590, telephone (202) 366-0039 or (202) 366-0451.

[61 FR 4363, Feb. 6, 1996]